



# **Solihull Schools Forum**

**Minutes of Meeting**

**9:30am**

**Thursday 12<sup>th</sup> October 2023**

SMBC Civic Suite Room 1

Homer Rd, Solihull B91 9SE

<b>Member Category</b>	<b>Member Name</b>	<b>Institution</b>	<b>Attendance</b> (Present/ Absent/ Apols)
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (3)	Lynn Clark	Marston Green Juniors (Northern)	Present
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (3)	Bernie Farkas	Blossomfield Infants (Synergy)	Present
HEAD TEACHERS OF PRIMARY MAINTAINED SCHOOLS (3)	Richard Marshall	Oak Cottage Primary (Evolve)	Present
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (3)	John McDermott	St Alphege Inf & Junior (Synergy)	Present
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (3)	Paul Jackson	Castle Bromwich Junior School (Northern)	Apologies
GOVERNORS OF PRIMARY MAINTAINED SCHOOLS (3)	Tim Baptiste	Oak Cottage Primary (Evolve)	Present
HEAD TEACHERS OF PRIMARY ACADEMIES (3)	Louise Minter	Streetsbrook I&EY Academy (Synergy)	Present
HEAD TEACHERS OF PRIMARY ACADEMIES (3)	Holly Lynch	TG Primary Academy St James (Synergy)	Apologies
HEAD TEACHERS OF PRIMARY ACADEMIES (3)	Mark Pratt	Ulverley School (Mosaic)	Absent
GOVERNORS OF PRIMARY ACADEMIES (2)	Lynda Mackay	Knowle CofE Primary (Rural)	Present
GOVERNORS OF PRIMARY ACADEMIES (2)	Antoinette Fisher	Dorrige Primary (Rural)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Claire Smith (P)	Tudor Grange Academy Solihull (Synergy)	Apologies
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Charlotte Shadbolt (G)	Heart of England School (Rural)	Apologies
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Darren Gelder (P)	Grace Academy (Northern)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Stephen Steinhaus (P)	Solihull AP Academy	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Stuart Shelton	St Peters RC (Synergy)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Clare Thorpe (HT)	Langley Secondary (Evolve)	Present
SECONDARY ACADEMY MEMBERS (10 – principals [or representatives] or governors) Inc. AP Academy	Andrew Best (G)	Smith's Wood Secondary Academy (Northern)	Apologies
REPRESENTATIVE OF MAINTAINED SPECIALIST PROVISION (1) attend on rota basis	Andy Simms	Hazel Oak School (Evolve)	Apologies

REPRESENTATIVE OF SPECIALIST ACADEMIES (1)	Nicola Redhead	The Heights	Present
REPRESENTATIVE OF PUPIL REFERRAL UNITS (1)	Eleanor Clarke	Triple Crown Centre (Mosaic)	Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Annette McKenzie (Conservative)		Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Samantha Gethen (Conservative)		Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Karen Grinsell (Conservative)		Present
ELECTED MEMBERS OF THE COUNCIL (4)	Councillor Michael Gough (Conservative)		Present <i>for part of meeting</i>
TRADE UNION REPRESENTATIVES (2)	David Lewis	TU Rep	Present
TRADE UNION REPRESENTATIVES (2)	Gareth Eastham	NASUWT	Present
TRADE UNION REPRESENTATIVES (2)	Gary Woodhouse (Substitute Member)	GMB	Apologies
REPRESENTATIVES OF EARLY YEARS PVI SECTOR (2)	Gina Godwin	Whitesmore Neighbourhood Nursery (Wise Owls)	Present
REPRESENTATIVES OF EARLY YEARS PVI SECTOR (2)	Lisa Whitehouse	Tender Years	Apologies
REPRESENTATIVES OF POST-16 COLLEGES (2)	Rebecca Gater	Solihull College	Apologies
REPRESENTATIVES OF POST-16 COLLEGES (2)	Dr Martin Sullivan	Sixth Form College	Apologies
OBSERVERS	Peter Davis	Diocesan Education Service (The Roman Catholic Archdiocese of Birmingham)	Apologies
OBSERVERS	Sarah Smith	Education for Birmingham, The Church of England	Present
<b>Officers (attend as required)</b>			
Acting DCS	Tim Browne		Present
Head of Commissioning for Learning	Steve Fenton		Present
SMBC Senior Accountant	Verity Dixon		Present
Clerk	Joanne Heys		Present

Item	Minute	Action
1.	<p><b>Apologies:</b></p> <p>1.1 Antoinette Fisher welcomed everyone to the meeting and particularly the Councillors present.</p> <p>1.2 Apologies were received from: Andrew Best, Andrew Simms, Charlotte Shadbolt, Donna Luck, Martin Sullivan, Gary Woodhouse, Jane Davenport, Helen McEvoy, Holly Lynch, Lisa Whitehouse, Martin Sullivan, Paul Jackson, Peter Davis and Rebecca Gater.</p>	
2.	<b>Election of Chair and Vice-Chair</b>	

	<p>2.1 Jo Heys explained the roles of Chair and Vice-Chair are due for election. Antoinette Fisher is Chair and Darren Gelder Vice Chair. Both confirmed they were happy to continue in the roles for this academic year or happy to step down. Antoinette Fisher noted that this would be her last year in the post. Forum members agreed unanimously that they were happy for Antoinette and Darren to continue in post.</p> <p>RESOLUTION: Antoinette Fisher to remain as Chair and Darren Gelder to remain as Vice Chair of Solihull Schools Forum for 2023-24.</p>	
<b>3.</b>	<p><b>Welcome to new members and farewell to departing members – Chair</b></p> <p>3.1 Antoinette Fisher welcomed new members to the Forum and said farewell to departing members and thanked them for their contribution, particularly Jenny Godsall.</p>	
<b>4.</b>	<p><b>Minutes of the previous meeting (25-05-2023) – Chair</b></p> <p>4.1 Minutes were agreed and approved as an accurate record.</p> <p>4.2 Points to pick up from the Minutes following discussion around data on staff being hit in schools and tribunal costs and Ed Psych teams. TB said he would prepare that information.</p> <p>4.3 Funding for Further Futures: information was circulated after the last meeting. Ruth Tennant stated there were two phases, a small grants programme for community organisations through Heart of England Foundation of up to £10k and also a larger grant for multi-agency bids, with criteria around health and wellbeing, which must meet some of the big outcomes that are challenges for Solihull.</p> <p>4.4 Procurement system will be used with a multi-agency panel reviewing submissions and £2m worth of funding with key criteria being sustainability to ensure continuation.</p> <p>ACTION: Ruth Tennant to recirculate details of the Further Futures funding grants to members.</p>	<p><b>TB</b></p> <p><b>RT</b></p>
<b>5.</b>	<p><b>Matters arising – Chair</b></p> <p>5.1. There were no matters arising.</p>	
<b>6.</b>	<p><b>Ratify Terms of Reference – Chair</b></p> <p>6.1. The Constitution was approved by the Chair.</p>	
<b>7.</b>	<p><b>Cabinet Member Update – Councillor Michael Gough</b></p> <p>7.1 Cllr Gough apologised as he had another event to attend shortly and explained Deputy Leader, Cllr Karen Grinsell would remain at the meeting.</p> <p>7.2 There has been a 48% increase in EHCPs between 2020/21 and 2022/23. A slowdown is anticipated in next three years but Solihull continues to have major challenges that need addressing together with partners.</p> <p>7.3 A high proportion of children in Solihull have EHCP plans compared to Solihull's statistical neighbours. Solihull has a weekly spend of £135 per child compared with £95 in comparative areas and that is due to the significance of the numbers in the High Needs Block and the related issues as well as the cost of sending some of those children out of borough, when ideally they would be educated in borough.</p> <p>7.4 Cllr Gough explained that Tim Browne would discuss this in more detail but highlighted some of the things Solihull is doing, including opening the new autism free school - The Heights - as well as planning to open another one.</p> <p>7.5 Cllr Gough welcomed Nicola Redhead to the Forum.</p> <p>7.6 Cllr Gough departed the meeting.</p>	

<p>8.</p>	<p><b>Assistant Director for Education Update – Tim Browne</b></p> <p>8.1 Tim Browne welcomed everyone and particularly the Councillors attending.</p> <p>8.2 He explained he would like to provide context as difficult decisions needed to be made across a range of areas and currently operating in the most challenging environment since the introduction of SEND reforms in 2014-15.</p> <p>8.3 Locally, great strides have been made in past couple of years both in issues that Solihull faces as a borough but also in responding to national challenges. It is recognised and the DfE recognises that we are operating in a broken system.</p> <p>8.4 Key question is how to lead in such times to ensure that children remain at the heart of all we do. Expressed thanks to members for their determination and efforts.</p> <p>8.5 Solihull has published SEND Improvement Plan that recognises challenges being faced but is also compelled to produce a DSG Management Plan which sets out how to respond to overspend on HNB.</p> <p>8.6 Plan must address how Solihull will deal with in-year deficit and also how to respond to cumulative deficit of just under £17m.</p> <p>8.7 Solihull is in a block of authorities with the lowest deficit, of below £20m; a number of other authorities have deficits breaching £100m.</p> <p>8.8 Whilst deficit is modest, Solihull is an outlier on a number of factors which must be addressed.</p> <p>8.9 Tim Browne stressed that the only formal decision that has been made so far is for feasibility for another special school on Sans Souci site, which will provide a 150 place special school, funded by the Council to £15m-£20m to include inflation. This should produce savings of £5m per annum.</p> <p>8.10 Also looking at capacity building to reduce expenditure on out of borough placements, which are twice as expensive as in borough placements. Solihull has 10% higher number of children in special provision as comparators.</p> <p>8.11 Council is considering the expansion of AP offer and expanding current specialist provision in the short-term and long-term.</p> <p>8.12 Recently opened an extension at Dorridge Primary School.</p> <p>8.13 Also outreach support to respond quickly, which Heads will hear further details about at the Heads' Partnership Meeting.</p> <p>8.14 Tim Browne thanked Forum members for their efforts.</p> <p><b>Comments/Questions</b></p> <p>a) Tim Browne clarified that the special school planned for the Sans Souci site is scheduled to be open in September 2027.</p> <p>b) Ruth Tennant highlighted the wider improvement programme being undertaken in relation to SEND. She is hearing from parents how the system is not working for them. Very significant issues with NHS waiting times for SALT and autism diagnosis. Need strong partnership between Council, heads, NHS and very strong executive level leadership with SEND in the borough. Implementing a multi-agency SEND executive, chaired by Council Chief Executive including Deputy Executive of Integrated Health Board, starting this month. In terms of the positives, EHCP turnaround time is better than previously and there is a little more Educational Psychology capacity, making incremental improvements. The Heights being open is a big positive.</p> <p>c) Cllr Karen Grinsell echoed what Ruth Tennant and Tim Browne had said in that the situation is very challenging. Frequently hear parents want their children in mainstream so need to consider what can be done to support children in mainstream so that they do not have to have a EHCP, while recognising that some children absolutely need an EHCP. Forum members are the people who have the solutions and need to work together.</p> <p>d) Gina Godwin said it was very good to hear that the issues are being taken seriously as this has been the case for years. Early Years is inundated with children with significant, very complex needs. Gina gave two current examples of children in her setting who are facing issues in</p>	
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accessing appropriate settings for their next step in education. Also, whilst one problem is solved in EHCP turnaround time, other issues for instance accessing SALT mean no evidence. She stated she really appreciated the Council staff recognising the issues and implored that decisions not all be finance-driven stressing that if children need specialist provision, they need specialist provision.

- e) Ruth Tennant highlighted benchmarking data on numbers in mainstream versus special schools as Solihull is very out of kilter from other authorities with similar demographics and levels of deprivation. If Solihull is out of kilter then the money is out of kilter which results in a vicious circle that is very difficult to break out of. The data suggests that resource is not in the right places; there is a lot of resource going into process, doing EHCPs and tribunals so we need to look at how some of that resource can be moved around the system. Must be about good outcomes for families and at the moment a lot is being spent and not always getting those good outcomes.
- f) Cllr Karen Grinsell stated that the Cabinet wants to invest but acknowledged it takes time to ensure that there is enough provision in place in the first instance and then to get upstream.
- g) Claire Thorpe thanked Cllr Karen Grinsell for recognising the issue but stated that often the positives do not feel like positives to schools, giving an example that the EHCP target being hit for schools can feel at times hostile and difficult. Langley has 80 EHCPs with a net capacity of around 900 but currently 1047 students. If a family name the school on EHCP, there is nothing the school can do, so have children with life-limiting conditions, children having seizures everyday in narrow corridors in an over-crowded schools and headteachers' views and expertise and analysis on health and safety is ignored. Now at a point of saturation which risks both health and safety and the quality of education. Looking at the data, the outcomes for children on EHCPs is good in Solihull because of the work of schools but it does not feel like schools are listened to.
- h) Darren Gelder echoed the earlier comments from colleagues and said the challenges are increasing, children are being let down and things have not changed in five years. The difference that needs to happen is in CAMHS referrals, speech and language, access to educational psychologists. Heads are aware of the financial constraints but also know that the Council has healthy reserves. The capacity to manage and bring about change is there and yet not much has changed in the past four or five years. While it is laudable to create another task and finish group, what is needed is on-the-ground tangible change to support the needs which are of a complex, multi-faceted level that have not been seen before, added to the additional requirements that everyone in education is being asked to take on, whether that be knife crime, staying safe online, all the areas where third party services such as social services and police are equally under strain are all now coming to us and asking us to pick up. Amanda Spielman's recent DfE report highlighted the number of children starting Nursery and school in nappies and with no speech and language at all, which underlines that the situation is not going to get better.
- i) Stephen Steinhaus highlighted that what Solihull Academy has found in the second year of providing six day a week provision for permanently excluded secondary students is galling. One of the tributaries that must be dammed is that we have kids either with an EHCP where the annual review hasn't happened, or with an EHCP that hasn't been finalised, or with an EHCP that has gone to consultation and has not been accepted or kids who everyone would recognise as needing a diagnosis and an EHCP but because the PRU is full they are permanently excluded and with that level of SEN are then on a waiting list. There is an opportunity to address this and turn this weakness into a strength with the right resources and the right joined-up thinking. In AP and special the sharpest end of this is seen both at primary and secondary and if the

EHCP block can be addressed, whether that is by an executive plan or another way and remove some of the blocks for those children, that will avoid those children putting us in the national news for the wrong reasons and those are the kids that need the help now. Nobody has any capacity but a solution needs to be found.

- j) Antoinette Fisher commented that she had let members express their views as it was very important whilst Councillors are listening to parents to listen to Headteachers on the ground because they understand the problems and by talking to them, listening and understanding the problems, the answers may be found.
- k) Ruth Tennant said that the reality is that every area is feeling the same. Everyone has a little piece of the jigsaw and need to work out how we start to unlock this. There is so much common ground between areas but it is difficult common ground as everyone is saying our bit feels so difficult to move on from our perspective. A lot of this is a national problem and we are not going to be able to solve everything but there are elements that are in our gift that we can do something about.
- l) Lynn Clark commented that she felt it was a cultural issue because people do not want to change the way they work and at times it has felt exasperating because the same problem has just been recycled. It is late in the day to be hearing now that it is at crisis point.
- m) David Lewis said we have been talking in circles because the Council has been restricted in what it can do. The bottom line is that it is about money and what the Government is saying through these papers is that schools have the resource and more and more emphasis has to go into managing in-house with school resources but there is no extra money. It is not a solution. It is a problem with the number of EHCPs rising every year but there is a different emphasis.
- n) Lynn Clark clarified that what she meant by people not wanting to change the way they worked, for example by not giving the funding directly to schools for teaching assistants, which would have been a way to avoid some EHCPs. She expanded by saying she had sat on an EHCP panel where she could not believe it went through but the parent had a stronger voice and it seemed that Solihull rolled over. In other cases the Council has not put forward a strong enough defence and even though the school's response has been that the child can manage in mainstream, the parent's voice has been listened to. This has led to the wrong pupils being in the wrong provision at high expense. She questioned why the Council has funded places in St George's in Birmingham when they have no specialist provision and funded somebody at St Martin's? Why did the local authority not know that some of these provisions were inadequate or children not attending them?
- o) Tim Browne said he acknowledged that there have been issues within the borough and four years ago the DSG and HNB were being mismanaged by the local authority as decisions were not appropriate, EHCPs were being made that should not have been made and people did not understand the legislation and processes. That is no longer the case. Every single independent specialist placement is monitored with regular reports, we know which children are and aren't attending. There is much more of a process and things have changed enormously. We need to try to move beyond the historical places that we have been in in the past.
- p) Darren Gelder quoted from the SMBC Statement of Accounts for 2022-23, page 7: "the key issue for the DSG continues to be the pressure on the HNB, which is largely due to sustained increase in the number and cost of school placements particularly in the independent sector." He concluded that did not sound like change. 80% of EHCP decisions are overturned at tribunal. The cost of children not being in the right place affects everyone in the borough.
- q) Tim Browne responded to agree that Solihull has a high proportion of children in maintained special schools and in ASPs and if any of those children could have been placed in-borough in mainstream or special

	<p>schools, they would have been. The problem now is that those children who have historically received EHCPs who probably shouldn't have them or could have had support in a different way are now locked in a system for many years so it is necessary to ride that storm a bit. Solihull has the highest number of tribunals in the region. Nationally, 98% of tribunals are lost by local authorities; here 20% go Solihull's way. It is important not to get stuck in the past and different checks and balances have now been put in place and we must look forward.</p> <p>r) Lynn Clark said that members recognise that things are moving forward but it is frustrating to be locked into that historical financial mismanagement because we have to see those children through. It is frustrating for headteachers as we have to honour financial commitments that were not the right decision.</p> <p>s) Also, how many of the children in the school with an EHCP have we seen where actually that EHCP is no longer needed but as leaders we also recognise that the funding only comes into the school through the EHCP.</p> <p>t) Louise Minter added that early intervention is key and if we could have the money in when that child really needs it, in a number of cases that may negate the need for the EHCP but the challenge is trying to get to that system from the system we are in. Also, when that child receives an EHCP it stands for all time, which is something around parent voice being much stronger than our voice; parent voice is so strong because that is what the legislation says.</p> <p>u) Tim Browne agreed and said that he could only think of 1 out of 2500 EHCPs that has ceased. He concurred the legislation absolutely favours parent voice so it is important to consider how we help parents to have confidence in the local offer or a graduated response rather than the system of having an end-to-end specialist placement.</p> <p>v) Gina Godwin suggested a system where children can move out of it. She explained she had to get EHCPs so children can go to specialist provision because they are not going to be safe in mainstream. She said once they receive the EHCP and start on that track how do we then get them off if they improve and don't need the EHCP anymore, because by the time they are in Juniors they might be ready to go into mainstream.</p> <p>w) Tim Browne said another issue is that as soon as a parent applies to go to tribunal that place is locked for a year.</p> <p>x) Antoinette Fisher concluded that there is clearly strong feeling among members and that whilst there have been changes and progress has been made, the historical issues and financial burden that schools are still living with is painful.</p>	
<p>9.</p>	<p><b>School Funding Update – DfE July 2023 – Steve Fenton</b></p> <p>9.1 Steve Fenton explained that the Government issue a lot of funding detail just before the end of the school year. This report seeks Forum direction on how the budgets for next year will be built, which will happen in October and November.</p> <p>9.2 He explained that the DfE has picked up an error in the pupil numbers in its update, but they have not yet published the correction for Solihull numbers.</p> <p>9.3 Steve will issue a supplement to members when the correct Solihull numbers have been released by the DfE.</p> <p><b>ACTION:</b> SF to issue a supplement to Forum members with correct figures.</p> <p>9.4 The numbers changed mean a 0.62% reduction from the headline level. This works out at about £50 per pupil at secondary level and £40 per pupil at primary which means the overall funding settlement is more like 2% than 2.7%.</p> <p>9.5 Key change is that mainstream schools additional grant is being fully incorporated into the National Funding Formula so where rates go up by quite a bit it is because of that.</p> <p>9.6 Section 3.3. gives the National Funding Factor value which is still being</p>	<p><b>SF</b></p>

	<p>analysed.</p> <p>9.7 One thing all authorities must do for 2024-25 is to move closer to the National Funding Formula; Solihull is already at the National Funding Formula and fully emulates it.</p> <p>9.8 The national split-site approach must be used now, which has an impact on Valley School as the authority's only split-site school, but that will be protected under the Minimum Funding Guarantee.</p> <p>9.9 New requirements on falling rolls funding which Solihull does not yet have. Government is keen that all LAs move to align closer to a National Funding Formula for growth funding, which Solihull already meets in the way we do our growth funding.</p> <p>9.10 For the Minimum Funding Guarantee Solihull has the freedom to set it between 0% and 0.5% so the recommendation is that it is set at the maximum.</p> <p>9.11 It is mandatory to look at SEN budgets, which is elsewhere on agenda.</p> <p>9.12 A High Needs Funding Supplement of 3.57% has been given.</p> <p>9.13 Central Services Block has been cut again and Discretionary Funding is now zero.</p> <p>9.14 National picture is becoming more about headline rates and the changes are mostly technical and will not impact on many schools in Solihull directly.</p> <p>9.15 Forum is asked to endorse the current strategy of emulating the National Funding Formula as closely as possible, to continue to use the Age Weighted Pupil Unit as a balancing figure, model the MFG at permitted maximum of 0.5% and the accumulated schools deficit of about £250k has to be the first call, which has arisen from things like business rate variations and revaluations during the year.</p> <p>RESOLUTION: Forum resolved to endorse all of the recommendations.</p> <p><b>Questions/comments</b></p> <p>a) David Lewis commented that Finance Work Group reviewed the School Funding Update and considered it straightforward to endorse to enable the budget to be set.</p>	
<p><b>10.</b></p>	<p><b>Early Years funding developments – Steve Fenton</b></p> <p>10.1 Steve Fenton explained that this report is very significant for Early Years settings and for working parents and concerns the huge expansion of a grant funded childcare offer for babies from 9 months to 2 years. It sets out Government thinking on the implementation.</p> <p>10.2 This was a consultation and the technical aspects being consulted on were plausible, logical, consistent and technically sound. After checking with Early Years colleagues, it was decided that Solihull did not need to respond formally.</p> <p>10.3 Suggested indicative hourly rates were published. There remain significant concerns over the basic 3-4year old hourly rate.</p> <p>10.4 The total number of hours requiring funding or the total cash to be received is not yet available and the DfE has not yet released a statistical table to aid estimation.</p> <p>10.5 Government is aligning funding for 2s and under 2s with the 3-4 year old programme, in which case it seems logical to build a local funding formula for 2s and under 2s based on what is done for 3-4 year olds, which is a headline core hourly rate and a deprivation supplement.</p> <p>10.6 Out of the overall funding received, an inclusion fund will need to be set up and will need to fund the local authority capacity to deliver it.</p> <p>10.7 At headline level it is thought it will basically double the number of pupils that require grant funding for us to administer and assess eligibility.</p> <p>10.8 Another important component that Government are keen to know is our assessment of our capacity to deliver this and a Working Group of Early Years providers is being set up.</p> <p>10.9 Considering what an inclusion fund will look like will be harder because whatever is taken out will reduce the headline rate for basic provision.</p> <p>10.10 Gina Godwin stated that it is very difficult for Early Years settings now</p>	

	<p>because the fees received from the parents of the under 2s are what keeps Nurseries going.</p> <p>10.11 Currently it is difficult to plan as it is not known what the uptake will be, either financially or of children.</p> <p>10.12 Settings cannot pass on the cost increases to parents so compromises have to be made elsewhere.</p> <p><b>Comments/questions</b></p> <p>a) Steve Fenton read the note from Lisa Whitehouse who had sent apologies. Lisa thanked Steve Fenton for his efforts in preparing the report. She highlighted how significant these changes will be for Nurseries as they will rely on the local authority for up to 100% of their income so knowing the rate at the earliest opportunity is critical to determine if they can remain sustainable going forward. If business outgoings cannot be met from September 2024 it will not be possible to continue to operate and there is not a great deal of time to prepare and make the necessary changes to business structures or notify parents of working costs.</p> <p>b) Steve Fenton said it was a signal to accelerate the work and give the best estimate possible, even if it is an estimate and agreed to bring the details back to Forum when done.</p> <p><b>ACTION:</b> Steve Fenton to prepare estimate of Early Years under 2s offer for Forum members.</p> <p>c) David Lewis commented that he was delighted to see the inclusion of 2 and under 2 year olds but it would be important to release the funds early rather than there being a lag and suggested that maybe that could be built into the scheme.</p> <p><b>RESOLUTIONS:</b></p> <p>a) Forum resolved to approve that the local authority constructs a local funding formula based on the same principles and proportions as the 3-4 year old formula, a basic unit rate and a deprivation supplement.</p> <p>b) Forum resolved to approve that the local authority establishes inclusion funding for 2 year olds and under 2s</p> <p>c) Forum resolved to approve that the local authority construct plans for additional staffing to deliver the proposals, based on retaining up to 5% of the additional grant to be received, as permitted by the Government.</p>	<p><b>SF</b></p>
<p><b>11.</b></p>	<p><b>Notional SEN Budget Review – Steve Fenton</b></p> <p>11.1 Steve Fenton said that this report enabled each school to see where it is now and whether the notional SEN budget fits that; where does the school need to be by linking into DBV and the work programmes associated with that; and ensures that the notional SEN budget signals to schools the quantum funding.</p> <p>11.2 The Notional Budget at the moment in Solihull is not fit for purpose and must be changed.</p> <p>11.3 Report considers how to rebuild the Notional SEN Budget and has regard to the national guidance, which is not statutory.</p> <p>11.4 4.1 sets out the approach taken and 4.2 models the funding required for each sector and highlights SEN Budget compared to neighbours. SEN support appears to be relatively high and the notional SEN Budget needs to take account of that.</p> <p>11.5 Government want all local authorities to link to National Funding Factors so table 4.1.1. shows the percentages required to reach those. Minimum Per Pupil level has been brought in as this is significant for a number of schools in order to drive funding where either they have relatively low levels of need in prior attainment or deprivation in order to drive their overall budget more towards schools with greater needs.</p> <p>11.6 Finance Work Group considered the Notional SEN Budget as a proportion of the total budget, running at 10-13%. Not known at this stage if that is</p>	

	<p>high, low or average, however, it is hoped that DfE will start to release comparative data.</p> <p>11.7 Steve Fenton explained it was not a huge change but a big shift between the current notional SEN Budget for school support. Far too much is stated to be for EHCPs.</p> <p>11.8 If this is adopted it will rework the Notional SEN Budget to reflect at least what the current reality is in Solihull, then this can be used to signal where we want to go. It should be reviewed annually to reflect the rapidly changing environment. Therefore, it offers a much better methodology.</p> <p>11.9 For some schools there is a large difference in the comparison between outcome to actual spend because a school may have an unusually high number of a particular aspect. Those schools may need to ask themselves whether they need to earmark more resources.</p> <p>11.10 The next step would be to consider whether for the schools that are materially different there should be an additional funding factor.</p> <p><b>RESOLUTIONS:</b></p> <ul style="list-style-type: none"> <li>a) Forum resolved to approve that the total amounts for the SEN Budget be referenced to the actual proportion of School Action Pupils at £3,000pp and the national average number of pupils with an EHCP at £6,000pp</li> <li>b) Forum resolved to approve the use of the school funding formula factors and the proportions shown in Table 3, paragraph 4.4.1 of the report</li> <li>c) Forum resolved to approve the approach of linking the Notional SEN Budget with the strategic aims of the High Needs Block recovery plan, that Notional SEN Budget is sufficient for the current numbers of pupils identified at school support and is sufficient for an increased number of pupils with EHCPs.</li> </ul>	
<p><b>12.</b></p>	<p><b>DSG Management Plan (HNB deficit) – Steve Fenton</b></p> <p>12.1 Steve Fenton stated that it is a mandatory requirement to have a DSG Management Plan and the first draft has just been finished.</p> <p>12.2 He said he could not overstate what an important document it would be for all stakeholders, Chief Executive, Councillors and members. This is because it asks how big is the problem annually and cumulatively, highlights that if this continues, you are doomed, which then forces us to articulate what we are going to do about it.</p> <p>12.3 Single biggest element in it is a revised brand new demographic forecast done by Ann Pearson, based on a new DfE methodology, which is much more robust than the DBV modelling.</p> <p>12.4 Next piece of work is to get into sensitivity analysis, which will highlight areas of concern if small changes give massive differences at the output.</p> <p>12.5 This will become a standing item on every Forum agenda and will continue to be refined.</p> <p>12.6 It does suggest that the current in-year overspend is hard to make an impact on right now because there are still spending pressures and it highlights the difficulty faced right now managerially and financially that has been expressed by members earlier in the meeting.</p> <p><b>Comments/questions</b></p> <ul style="list-style-type: none"> <li>a) Verity Dixon explained that this is probably the most significant financial issue for the Council as the ring-fence on the DSG reserve comes to an end within the medium-term financial plan period. There are some difficult decisions to make about managing this budget which was previously not touched by the rest of the Council but will now become the Council's responsibility to fund.</li> <li>b) David Lewis commented that this is a key document and that Government is scared of another Council going bust. By building DBV into this it is clear that the message is that we have to realise the way in which we are spending money and therefore the DSG Management Plan will be a key document to monitor.</li> <li>c) Steve Fenton concluded that in some areas the Government are correct in that we are materially statistically different from some other authorities</li> </ul>	

	<p>and that is what DBV is designed to drive further and suggests if you are smarter about working, or more systematic with the challenges you are facing, more value could be achieved. However, it shows that the explosion in post-16 wipes out any gains at pre-16 level. Early Years is another matter. While Solihull is out of kilter in some respects the total problem is not going to be solved by our own efforts. Modelling will get us closer but we will still have a gap and that is where the DfE needs to think about their position.</p> <p>d) Tim Browne added that in every meeting he has with the DfE, the DfE is being reminded of the gap but we need to make sure that in the worst case scenario if DfE refuse, what Solihull's response will be.</p>	
<p><b>13.</b></p>	<p><b>HNB Deficit action – seek transfer from schools block – Steve Fenton</b></p> <p>13.1. Steve Fenton explained that this report shows one of the mitigations that is not in the DSG Management Plan. The Management Plan appears to suggest that because of the funding pressures like AP, until the mitigations kick in, there is still a need to spend on those things, which will add to the deficit.</p> <p>13.2 Therefore a further potential mitigation in the short-term is a Schools Block Transfer, which is a vehicle being employed by every single safety-valve authority and some DBV authorities.</p> <p>13.3 This report sets out the technical aspects of what a local authority would need to do to pursue a Schools Block Transfer and indicates what various scenarios would look like in terms of a budget reduction to each of the individual schools.</p> <p>13.4 It is a headline transfer from Schools Block to High Needs Block then run NFF. For example, if schools receive £100m, remove £1m for the transfer, £99m remaining then run National Funding Formula. Key to the modelling is the Minimum Per Pupil funding level, which is a protection factor. A Schools Block Transfer is bad enough but then to publicly remove money for aspects such as Free School Meals, prior attainment takes money away from the specific groups that would want to be included within schools meeting additional needs. The report in itself is not seeking an explicit 0.25% or 0.5%.</p> <p>13.5 Tim Browne confirmed that no proposal had been made for a Schools Block Transfer at present and no decision has been made but this option must be raised because of the level of deficit as Solihull will be pushed by the DfE on how to resolve it. If a Schools Block Transfer is not going to be made, what will be done instead?</p> <p><b>Comments/Questions</b></p> <p>a) Darren Gelder said looking at the problem strategically, have other approaches been considered? He referred to the full Council Accounts, quoted that: “the Government has extended the statutory override which allows the Council to carry forward the DSG deficit for a further three years to 2025-26. If it is not extended beyond that date then the Council would be required to fund the deficit from its own earmarked reserves from 2026-27.” Has this been considered? The Corporate and Capital Accounts refer to some of the Covid-19 additional funding and we recognise and it is recognised nationally that some of the impacts being seen are directly related to Covid 19. The Accounts state that “funding received in 2020-21 which was not required until later years was contributed to reserves and will be released over a period of future financial strategy in line with the anticipated profile of Covid-19 pressures.” He said that this is a Covid-19 pressure that a lot of our schools are seeing so have all the other options including going back to the Council been explored fully as punishing our kids now for historical failures seems unfair.</p> <p>b) He continued, saying considering it operationally, any of the figures given there are going to result in damage to a young child's experience. It will be the support staff that are hit, who are working with young people who have needs that are being met but if the support staff are removed, those</p>	

kids will probably be excluded, resulting in a much more increased cost. There is no slack in the system. Schools have to go into their reserves, if indeed they have any left. 84% of students permanently excluded are SEN; 78% are regarded as being disadvantaged. By doing this, we perpetuate that and if that funding is taken away those children can no longer be supported in his school. Please be very clear about the implications of removing funds from schools at this time: it will be detrimental and it will be critical.

- c) Cllr Karen Grinsell commented that Council are about to start the budget-setting process for the medium-term financial strategy by looking at the overall Council Plan and pressures in other areas because if money is put into Children's Services, and millions has been put into Children's Services in previous years, that will come from somewhere else. Councillors will look at each Directorate's reserves. The whole Council knows that Children's Services are under a lot of pressure and it is everybody's responsibility.
- d) Claire Thorpe said that it is now known that children suffered most through the pandemic so taking money away now is not the right time.
- e) Cllr Karen Grinsell commented that she believed that all the Covid-19 additional funding had been spent.
- f) Darren Gelder stressed that if money is taken away now, in a few years' time, other services will be impacted and this will result in much more costly problems for the Council.
- g) Ruth Tennant commented that it was a genuinely difficult balancing and the reality is it is a very challenging financial period and a lot of very difficult trade-offs are being made. The key thing is to really understand what the percentages mean at an individual school level and what a range of solutions might look like. Are school reserves or Council reserves a part of the solution? Trying to work through a very complex set of options.
- h) Darren Gelder said that historically this has been seen as a schools problem to solve and this is the first time that it has been considered that there may be other avenues or stakeholder groups who can be involved. Context wise 27% SEN; 78% Pupil Premium and it is not just the child but also dealing with the huge social demographic that sits alongside that. When national comparators are looked into in detail, very few have that very complex social demographic challenge within a borough the size of Solihull and contextual factors need to be considered. The disadvantaged are likely to be more disadvantaged by cuts.
- i) Louise Minter commented that some small schools in relatively affluent areas without a significant amount of Pupil Premium funding are already really struggling and are losing staff.
- j) Tim Browne stressed that this was one of a number of options but the timing means that if it is an option to be taken up, the disapplication request to the DfE would need to be made by 17<sup>th</sup> November. The decision to go ahead would be made in the early New Year. He said that this is not a schools problem, it is a local area problem.
- k) Darren Gelder added that that is not clear from the paper, which focuses on the schools and headteachers are already considering the implications so it would be useful to see the other areas.
- l) Antoinette Fisher said that it would be crucial to know what the consultation is going to look like in the short window and what people are going to need.
- m) Tim Browne suggested meeting again before 17<sup>th</sup> November.
- n) Steve Fenton agreed to draft a Consultation paper for schools to request their views on the proposal.
- o) Lynn Clark said that it would be very helpful to also see the other areas and what they are being asked to do as that gives the wider context.
- p) Ruth Tennant said she would work with Cllr Karen Grinsell and Steve Fenton to show the other areas.
- q) Stephen Steinhaus commented that when talking about reserves, the Government assumes that school reserves will cover a pay deal that

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	<p>does not beat inflation and in real terms, is not where we should be. Not every school has reserves, not every school has recourse to go to those reserves. There are schools and trusts that don't have reserves. Taking money directly away from schools and children is going to feed the issue that we started with when we spoke about the needs that schools have without taking that away.</p> <p>r) Lynda McKay commented that as part of the consultation process it would be very important to speak to Governors to give them a background on why this is happening and how it may impact their school.</p> <p>s) Antoinette Fisher stated it was vital to get this message out, not just in the form of a paper, which does not have the context.</p> <p>t) John McDermott said that the cumulative HNB deficit across all local authorities is now about £2.3bn. Of the DBVs, 34 are now in a safety valve agreement and receive up to £1bn. Is Solihull in there and can we get a bailout as part of that? He asked if Solihull is collaborating with the other local authorities going through this and whether data is being benchmarked?</p> <p>u) Tim Browne responded by clarifying that there are 55 local authorities in DBV and 34 in safety valve. The Government are now discontinuing the safety valve programme. Solihull did explore the possibility of becoming part of the safety valve programme but the Government would not accept Solihull because of the level of deficit and also because the Council has a robust plan to address it. As part of DBV, Solihull is in contact with all DBV authorities and receives regular updates from them. It also shows that the DBV response will not even touch the deficit.</p> <p>v) Tim Browne proposed to make every school aware of the issues via some information sessions and a proper consultation process. He suggested a structured open meeting.</p>	
<b>14a.</b>	<p><b>Finance Group report (12-09-23) – David Lewis</b></p> <p>14a.1 David Lewis provided a summary from the meeting. He highlighted that there are 161 out of borough placements with an average cost of £48,513 and explained that costs have gone up by 30% even though numbers are being controlled.</p> <p>14a.2 Anticipated HNB deficit of £2m rising to £2.5m with an accumulated deficit over the years of £19-19.5m.</p>	
<b>14b.</b>	<p><b>SSSAB report (21-09-23) – Louise Minter</b></p> <p>14b.1 Louise Minter summarised key items discussed at the meeting. This included reviewing the Terms of Reference and Collaboratives. Two sub-groups have been set up, Inclusion and School Improvement.</p> <p>14b.2 The peer-to-peer support groups for Headteachers have been very well received and this year the number of groups has doubled and includes all new Headteachers in Solihull.</p> <p>14b.3. The theme of the Heads' Conference in January will be inclusion in its widest sense.</p>	
<b>15.</b>	<p><b>AOB</b></p> <p>15.1. An extraordinary meeting of Schools Forum to be arranged to discuss the possibility of a disapplication for a School Block Transfer.</p> <p>15.2. Antoinette Fisher thanked everyone for attending the meeting.</p>	<b>AF/JH</b>
<b>16.</b>	<p><b>Date of next meetings</b></p> <ul style="list-style-type: none"> <li>• Extraordinary meeting of Schools Forum: Thursday 9<sup>th</sup> November 2023</li> <li>• Schools Forum, Thursday 11<sup>th</sup> January 2024, 9:30am, Room 1 Civic Suite</li> </ul>	